

**Notice of Allowability**

Application No.

09/595,715

Examiner

Roland G. Foster

Applicant(s)

GOLD, BARRY

Art Unit

2645

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 06/24/04.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 03 February 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**DETAILED ACTION**

***Allowable Subject Matter***

Claims 1-23 are allowed.

***Examiner's Reasons for Allowance***

The claims are directed to a switch that can be reprovisioned using audible commands.

Certain express claim limitations expressly and materially limit the scope of the claims.

All the claims contain certain limitations in common. For example, all claims expressly recite a telecommunications switch comprising various switch components or specific method steps for reprovisioning a telecommunications switch. Further, all the independent claims recite that the switch relies on a voice based user interface for issuing notification and/or receiving commands.

Other grouping of claims contain certain limitations particular to that group as discussed below.

Independent claims 1 and 3 recite significant limitations such as "a call processing application" that handles interactions with "originating and terminating agents" (as opposed to callers). The telephone network switch further comprises "audio input tables" or "provisioning tables" comprising reprovisioning (or provisioning) instructions that are compared to voice input

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commands issued by a "switch administrator" (as opposed to non-administrator user) in order to determine call processing "interaction frameworks." Thus, the telecommunications network switch must provide a call processing application supporting "agents" and controlled by an "interaction framework," where the framework is modified by comparing voice commands, issued by an "administrator," to a table of reprovisioning instructions. Note that the term "reprovisioning instruction" as used in claim 1 must also be interpreted consistently with the identical term used in other claims in order to provide proper notice to the public regarding the metes and bounds of the applicant's invention. Here, independent claim 23 recites that a "reprovisioning instruction" occurs in the context where nonprovisioning instructions, such as request for authorization (i.e., request for logon) and the authorization (logon id) code itself, have already been received. Thus, nonprovisioning voice commands such as request for logon and logon id don't correspond to "reprovisioning instructions," otherwise claim 23 would be rendered nonsensical (e.g., reciting duplicate logon processes). Note also that the applicant chooses to recite the different and broader term "provisioning instructions" in the more detailed claim 3, thus indicating that the applicant has purposely differentiated between "reprovisioning instructions" and "provisioning instructions."

Independent claim 10 recites both a switch monitoring system and an expert system that receive operation information from the switch components and also that both issue instructions. However, the subject claim recites that the switching monitoring system issues instructions relating to audible notification. Further, the claim recites that a voice generation application receives instructions, however the only recited instructions that the voice generation application

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receives are from the switching monitoring system and not the expert system. Further, a user interface receives digitized messages issued by the voice generation application, and converts the digitized messages to audible sound. Thus, claim 10 recites a rather narrow and unique operational relationship between the switch monitoring system, the expert system, and the voice generation application, where both the monitoring system and the expert system operate in parallel monitoring the same set of components, yet the expert system is not recited as providing instructions to the voice generation application. Finally, the voice generation application relies upon a separately recited user interface to convert digitized messages into audible sound.

Claims 11 and 13 are similar to claim 10 in that both a switch monitoring system and an expert system receive operational information from switch components, however in the instant claims the expert system is limited (via antecedent basis) to issuing the same "said plurality of instructions" that the monitoring system issues, thus limiting the two systems from issuing different sets of instructions (less operational flexibility).

Claim 12 is highly detailed and recites several components including an expert system application employing fuzzy logic to rank instructions contained in rules table.

Claim 21 detects an audible sound and determines if the sound is an audibilized command containing a reprovisioning instruction by comparing the audible sound to a recognizable audible input table maintaining a plurality of recognizable reprovisioning instructions. If the audible sound is an audiblized command containing a reprovisioning

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instruction found the input table, then the switch is reprovisioned accordingly. Thus, the claim invention must include an audible input table maintaining a plurality of recognizable provisioning instructions. Thus, a more comprehensive table that maintains nonprovisioning instructions, such as audible instructions that don't correspond to a specific "reprovisioning instruction" (e.g., request for logon, logon codes, logoff, help, etc.), would not read on the claimed invention. Such an interpretation of the term "reprovisioning instruction" as audible sounds that are distinct from nonprovisioning instructions (e.g., request for logon and logon id) is consistent with the use of the identical term in claim 23 (see the examiner's reasons for allowance regarding claim 1 for further details).

Claim 23 also detects an audible sound and performs reprovisioning instructions in response. However, claim 23 is directed to a narrowly recited sequence requiring a first sound corresponding to a request for authorization code, a second sound corresponding to authorization code, and a third sound corresponding to a provisioning instruction.

The closest prior art of record is U.S. Patent No. 5,745,692 to Lohmann, II et al. and U.S. Patent No. 6,041,325 to Shah et al. as applied in the last Office action. Both of these references fail to disclose alone or in combination the claim limitations discussed above.

The remaining prior art of record fails to teach or fairly suggest substantially modifying either Lohman or Shah in order to arrive at the invention as claimed in detail by the applicant.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland Foster whose telephone number is (703) 305-1491. The examiner can normally be reached on Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang, can be reached on (703) 305-4895. The fax phone number for this group is (703) 872-9309.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.

  
Roland G. Foster  
Primary Patent Examiner  
September 7, 2004